

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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REGENERON PHARMACEUTICALS, INC.,

Plaintiff,

v.

ORDER

NOVARTIS PHARMA AG, et al.,

20-CV-05502 (PMH)

Defendants.

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PHILIP M. HALPERN, United States District Judge:

A Discovery Dispute Conference was held on May 7, 2025, concerning the issues raised in three discovery dispute letters, filed in redacted form on the public docket and unredacted under seal (Docs. 168, 169, 179, 180, 183, and 184). Counsel for all parties appeared.

For the reasons set forth on the record, the Court ruled as follows:

(1) The Court denied Regeneron’s request for unredacted production of Novartis’s Patent Prosecution Guide. (Docs. 168, 169).

(2) The Court reserved decision on Regeneron’s request to compel confidential versions of Novartis’s briefs and the PTAB’s decisions from IPR2021-00816 (“IPR papers”) pursuant to the parties’ stipulated protective order. (Docs. 168, 169). The Court directed that the parties meet and confer concerning any prior agreement as to the temporal limitation of June 16, 2020 (or any other date) for document production, and advise the Court by joint letter by May 14, 2025, whether there is such an agreement in this case (with proof thereof) concerning any cut-off date for document production.

(3) The Court found that Novartis did not waive, based upon the proof provided, the attorney-client privilege as to all documents and communications concerning its investigation and

analysis of Vetter's inventorship claim regarding the '631 Patent and therefore denied Regeneron's April 24, 2025 letter-motion (Docs. 179, 180).

(4) The Court found that Regeneron did not waive privilege as to its interpretation of a patent sublicense offer from Vetter and therefore denied Novartis's April 24, 2025 letter-motion (Docs. 183, 184).

See Transcript.

The Clerk of Court is respectfully requested to terminate the pending letter-motions addressed herein: Docs. 179, 180, 183, and 184.

Dated: White Plains, New York
May 7, 2025

SO ORDERED:



Philip M. Halpern
United States District Judge